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Attorneys for Defendants
McKESSON CORPORATION,
ROBERT JAMES, and GREG STEPHEN YONKO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE COMMONWEALTH OF VIRGINIA,

Plaintiff,

v.

McKESSON CORPORATION, ROBERT
JAMES, AND GREG STEPHEN YONKO

Defendants.

Case No. C 11-02782 SI

**STIPULATION AND
~~PROPOSED~~ ORDER
REGARDING BRIEFING
SCHEDULE FOR
MOTION TO DISMISS**

Pursuant to Civil Local Rule 6-2 for the Northern District of California, Defendants McKesson Corporation, Robert James, and Greg Yonko ("Defendants") and Plaintiff Commonwealth of Virginia ("Plaintiff"), by and through their undersigned attorneys, stipulate and request a time modification as follows:

WHEREAS, Plaintiff filed the Complaint in the above-captioned action on June 8, 2011;
WHEREAS, pursuant to Rule 4(d)(3), Defendants' deadline to respond to the Complaint is August 15, 2011 (see Docket Nos. 12-14);

1 WHEREAS, Defendants filed a motion to dismiss (“Motion”) on August 15, 2011, and
2 noticed the hearing on the Motion for October 14, 2011;

3 WHEREAS, pursuant to Local Rule 7-3(a) and (c), Plaintiff’s opposition to the Motion
4 will be due on August 29, 2011, and McKesson’s reply will be due on September 5, 2011;

5 WHEREAS, on August 10, 2011, the parties in recognition of concurrently scheduled
6 briefing in related litigation have agreed to extend both Plaintiff’s time to file its opposition and
7 Defendants’ time to file their reply by one week;

8 WHEREAS, a one-week extension on both the opposition and reply would make
9 Plaintiff’s opposition due Tuesday, September 6, 2011, following the Labor Day holiday, and
10 Defendants’ reply due Tuesday, September 20, 2011;

11 WHEREAS, pursuant to Local Rule 6-2, the parties state that the requested time
12 modification will not affect any current case deadlines, and that the only previous time
13 modification in this action was the August 2, 2011, order rescheduling the case management
14 conference to September 22, 2011 (see Docket No. 15);

15 NOW THEREFORE, SUBJECT TO COURT APPROVAL, THE PARTIES HEREBY
16 STIPULATE AND AGREE, through their counsel of record, as follows:

- 17 1. Plaintiff shall file its opposition to Defendants’ Motion on or before September 6,
18 2011.
- 19 2. Defendants shall file their reply in support of the Motion on or before September 20,
20 2011.
- 21 3. The hearing on the Motion shall be held Friday, October 14, 2011, at 9:00 a.m.

22 IT IS SO STIPULATED.
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1 Dated: August 15, 2011

MELVIN R. GOLDMAN
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5 By: /s/ Paul Flum
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Attorneys for Defendants
McKESSON CORPORATION, ROBERT
JAMES, and GREG STEPHEN YONKO

10 Dated: August 15, 2011

11 STEVE W. BERMAN
12 BARBARA A. MAHONEY
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13 By: /s/ Steve W. Berman
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Attorneys for Plaintiff
STATE OF VIRGINIA

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/19/11



Hon. Susan Illston
United States District Judge

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GENERAL ORDER 45 ATTESTATION

I, Paul Flum, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Briefing Schedule for Motion to Dismiss. In compliance with General Order 45, X.B., I hereby attest that Steve Berman has concurred in this filing.

Dated: August 15, 2011

By: /s/ Paul Flum

PAUL FLUM

Counsel for Defendants
McKESSON CORPORATION, ROBERT
JAMES, and GREG STEPHEN YONKO